

Exhibit A

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**SUMMONS**

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|--|---|
| Plaintiff Cheryl Jean v. MOTASEM AL-YACOUB, MD et al. Defendant | Civil Action File Number PC-2020-05225 |
| | Attorney for the Plaintiff or the Plaintiff |
| Licht Judicial Complex Providence/Bristol County 250 Benefit Street Providence RI 02903 (401) 222-3250 | Address of the Plaintiff's Attorney or the Plaintiff Address of the Defendant 400 Stanley St Fall River MA 02720 Fall River MA 02720 |

TO THE DEFENDANT, The Family HealthCare Center at SStar:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon the Plaintiff's attorney, whose address is listed above, an answer to the complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) of the Superior Court Rules of Civil Procedure, unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

This Summons was generated on 7/20/2020.

/s/ Henry Kinch
Clerk

Witness the seal/watermark of the Superior Court

A TRUE COPY ATTEST
DENNIS N. MARTEL
CONSTABLE # 6207
DATE: 10-8-2020

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**Plaintiff**

Cheryl Jean

v.

MOTASEM AL-YACOUB, MD et al.

Defendant**Civil Action File Number**

PC-2020-05225

PROOF OF SERVICE

I hereby certify that on the date below I served a copy of this Summons, complaint, Language Assistance Notice, and all other required documents received herewith upon the Defendant, The Family HealthCare Center at SStar, by delivering or leaving said papers in the following manner:

☐ With the Defendant personally.

☐ At the Defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person of suitable age and discretion _____

Address of dwelling house or usual place of abode _____

Age _____

Relationship to the Defendant _____

☐ With an agent authorized by appointment or by law to receive service of process.

Name of authorized agent _____

If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

☐ With a guardian or conservator of the Defendant.

Name of person and designation _____

☐ By delivering said papers to the attorney general or an assistant attorney general if serving the state.

☐ Upon a public corporation, body, or authority by delivering said papers to any officer, director, or manager.

Name of person and designation _____



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SUPERIOR COURT

Upon a private corporation, domestic or foreign:

☐ By delivering said papers to an officer or a managing or general agent.

Name of person and designation _____

☐ By leaving said papers at the office of the corporation with a person employed therein.

Name of person and designation _____

☐ By delivering said papers to an agent authorized by appointment or by law to receive service of process.

Name of authorized agent _____

If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

☐ I was unable to make service after the following reasonable attempts: _____SERVICE DATE: _____ / _____ / _____
Month Day Year

SERVICE FEE \$ _____

Signature of SHERIFF or DEPUTY SHERIFF or CONSTABLE

SIGNATURE OF PERSON OTHER THAN A SHERIFF or DEPUTY SHERIFF or CONSTABLE MUST BE NOTARIZED.

Signature _____

State of _____

County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____ ☐ personally known to the notary or ☐ proved to the notary through satisfactory evidence of identification, which was _____, to be the person who signed above in my presence, and who swore or affirmed to the notary that the contents of the document are truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____

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STATE OF RHODE ISLAND

PROVIDENCE COUNTY, SC.

SUPERIOR COURT

CHERYL A. ST. JEAN

Plaintiff,

v.

MOTASEM AL-YACOUB, MD;

EAST BAY NEUROLOGY, P.C.;

DAVID P. CARTER, MD; the FAMILY

HEALTHCARE CENTER at SSTAR;

Defendant.

CA No:

COMPLAINT

Parties

1. Plaintiff, Cheryl St. Jean, (hereinafter "St. Jean") is a natural person residing in Providence County Rhode Island;

2. Defendant, Motasem Al-Yacoub, MD, ("Dr. Al-Yacoub") is, and at all times herein mentioned was, a Rhode Island registered physician with Rhode Island License number MD09501 and CMD09501, licensed by the State of Rhode Island. Dr. Al-Yacoub holds himself out as a specialist in neurology.

3. Defendant East Bay Neurology, P.C. is upon information and belief a Rhode Island Registered Professional Corporation.

4. Defendant, David P. Carter, MD, ("Dr. Carter") is, and at all times herein mentioned was, a Rhode Island registered physician with Rhode Island License number CMD05623, licensed by the State of Rhode Island, and license number 44704 issued by the Commonwealth of Massachusetts.

5. Defendant The Family HealthCare Center at SSTAR is upon information and belief, a Massachusetts registered nonprofit.

Jurisdiction, Venue, and Jury Demand

6. This Court has jurisdiction over this matter pursuant to R.I. Gen. Laws § 8-2-1, et. seq. as the amount in controversy exceeds \$10,000.

7. Venue is proper in the Providence County Superior Court as the events giving rise to the allegations contained in this complaint occurred within the territorial bounds of this Court.

8. Plaintiff Demands a trial by jury for all claims so triable.

Preliminary Factual Allegations

9. In or about July of 2015 Plaintiff, St. Jean, complained to her Primary Care Physician Dr. David Carter that she was experiencing a numbness and tingling in her feet and an unsteady gait. On Dr. Carter's referral, Ms. St. Jean began treating with Dr. Al-Yacoub who diagnosed her with underlying diabetic polyneuropathy.

10. Over time Ms. St. Jean continued to treat with Dr. Al-Yacoub while her symptoms progressively worsened. Over this time, Dr. Al-Yacoub provided several different prescription medications, none of which were effective in fixing her worsening symptoms. During several follow up visits, Ms. St. Jean consistently reported worsening balance, restlessness in her legs, numbness, tripping, and falling.

11. In addition to her follow up appointments with Dr. Al-Yacoub Ms. St. Jean was also followed by her primary care Physician, Dr. David P. Carter. Ms. St. Jean made the same complaints to Dr. Carter of worsening balance, restlessness in her legs, numbness, tripping, and falling, that she made to Dr. Al-Yacoub.

12. Notwithstanding Ms. St. Jean's ongoing and worsening condition, neither Dr. Al-Yacoub nor Dr. Carter ordered diagnostic imaging of Ms. St. Jean's spine.

13. In or about October of 2017 Plaintiff was seen by Dr. Alan H. Daniels, MD, ("Dr. Daniels") who ordered diagnostic imaging on her spine. She was subsequently diagnosed with a large tumor on her spine which required surgery to remove.

Count I - Medical Malpractice as to Motasem Al-Yacoub, MD and East Bay Neurology, P.C.

14. Plaintiff incorporates the allegations contained in paragraphs 1 through 13 of this Complaint as though fully set forth herein.

15. As Plaintiff's treating Neurologist Dr. Al-Yacoub under the applicable standard of medical care owed a duty to Plaintiff.

16. Notwithstanding Plaintiff's reliance on Dr. Al-Yacoub's professional skills and representations of competence, Dr. Al-Yacoub did negligently fail to order diagnostic imaging of plaintiff's spine, and did otherwise fail to undertake sufficient steps to accurately detect, diagnose and treat plaintiff's spinal tumor all in violbreachand breach of the standards of care to be exercised by a licensed physician who holds himself out as a specialist in Neurology.

WHEREFORE, Plaintiff prays for damages including medical and related expenses, pain and suffering, loss of earnings, and loss of earnings capacity; that Plaintiff be awarded costs, pre and post judgment interest, and fees; and that Plaintiff be awarded all other relief deemed just and proper under the circumstances.

Dated: July 17, 2020

Cheryl A. St. Jean
By her attorney

/s/ Matthew Fabish, Esq. #8019
/s/ Christopher M. Lefebvre, Esq. #4019
Consumer & Family Law Center of
Claude F. Lefebvre | Christopher M. Lefebvre, PC
PO Box 479 • Pawtucket • RI • 02862
Tel: (401) 728-6060 • Fax: (401) 728-6534
chris@lefebvrellaw.com

CERTIFICATE OF SERVICE

I hereby certify that, on 17 July 2020

☒ I filed and served this document through the electronic filing system on the following parties: **ALL SERVICE CONTACTS**. The document electronically filed is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/Matthew L. Fabisch, Esq.

Rhode Island Supreme Court Executive Order 2012-05 states that when a Limited-English Proficient (LEP) person appears in court, the Rhode Island Judiciary will provide a free authorized interpreter for the defendant, plaintiff, witness, victim, parent of a juvenile, or someone with a significant interest in the court proceeding. This interpreting service is provided at no cost to the parties and in all types of cases, both civil and criminal. Court interpreters work in all the courthouses of the Rhode Island state court system.

**The Office of Court Interpreters
Litch Judicial Complex
Fourth Floor Room 401
250 Benefit Street
Providence, RI 02903**

**The Office of Court Interpreters
Light Judicial Complex
Fourth Floor Room 401
250 Benefit Street
Providence, RI 02903**

Gabinete de Interpretes Judiciales
Complejo Judicial Licht
Quarto Piso, Sala 401
250 Benefit Street
Providence, RI 02903

[illegible]

Light Judicial Complex
Fourth Floor Room 401
250 Benefit Street
Providence, RI 02903